

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

EMMA SMITH,  
Plaintiff,  
v.

No. C -12-05255 EDL

**SUA SPONTE JUDICIAL REFERRAL  
FOR PURPOSE OF DETERMINING  
RELATIONSHIP**

NATIONAL RAILROAD,  
Defendant.

Pursuant to Civil Local Rule 3-12(c), this Court, sua sponte, refers the above-captioned case, filed on October 11, 2012, to the Honorable Judge Laurel Beeler to consider whether this case is related to Smith v. National Railroad Passenger Corp., C-12-1823 LB. In both cases, Plaintiffs have sued Defendant for personal injuries sustained in the same train accident. Plaintiff shall file any response in opposition to or in support of relating the cases within seven (7) calendar days of the date of this Order.

At the further case management conference on April 4, 2013, Plaintiff's counsel informed the Court that the parties in Smith v. National Railroad Passenger Corp., C-12-1823 LB were scheduled for mediation in May 2013. According to the docket for that case, the mediation is set for May 21, 2013. Accordingly, as requested by counsel at the further case management conference, the Court recommends delaying ruling on this sua sponte referral until after May 21, 2013. However, the timing on a ruling on this referral is in Judge Beeler's discretion.

IT IS SO ORDERED.

Dated: April 9, 2013

*Elizabeth D. Laporte*

ELIZABETH D. LAPORTE  
United States Chief Magistrate Judge